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2-13-04

EL 978317643 US
JDA/C

FEB 18 2004

PTO/SB/61 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)

Docket Number (Optional)

AUS920010030US1

First Named Inventor: Michael R. Cooper, et al. Art Unit: 2171

Application Number: 10/042,007

Examiner: unknown

Filed: 01/08/2002

Title: Automatically Populating An Applications Working Directory With Files Having A Specified Type From Other Directory Locations

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9382.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) Reply and/or issue fee.
- (3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee

Small entity – fee \$ _____ (37 CFR 1.17(l)). Applicant claims small entity status.
See 37 CFR 1.27.

Other than small entity – fee \$ 110 00 (37 CFR 1.17(l)).

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of
RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS (identify the type of reply):

has been filed previously on _____

is enclosed herewith. 02/17/2004 SZEWDIE1 00000023 090447 10042007

B. The issue fee of \$ 110.00 DA

has been filed previously on _____

is enclosed herewith.

[Page 1 of 3]

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEB. 12 2004

Date

Marilyn Smith Dawkins

Signature

512-823-0094

Telephone Number

31,140

Registration Number, if applicable

Marilyn Smith Dawkins

Typed or printed name

Intellectual Property Law Dept
IBM Corporation

Address

11400 Burnet Road
Austin, TX 78758

Address

Enclosure

- Fee Payment Deposit account 09-0447
- Reply
- Terminal Disclaimer Form
- Additional sheets containing statements establishing unavoidable delay
Notice of Abandonment Response To Notice of Abandonment
- Substitute Dugs + Response To Notice To File Corrected App papers

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

- deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

2-12-04

Date

Beverly Winfield

Signature

Beverly Winfield

Typed or printed name of person signing certificate

**Express
Mail**

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

02/06/04

Date

31,140

Registration Number, if applicable

Marilyn Diane Smith Dawkins

Signature

Marilyn Diane Smith Dawkins

Typed or printed name

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

THE "NOTICE TO FILE CORRECTED APPLICATION PAPERS" WAS NOT RECEIVED. OUR office received the filing receipt on April 11, 2002 (which had been mailed by the USPTO on April 5, 2002), but the "Notice to File Corrected Application Papers" was not with it. THEREFOR, I HAS NO KNOWLEDGE OF A REQUEST BY THE USPTO FOR A NEED TO FILE CORRECTED APPLICATION PAPERS. AS A RESULT, THIS DELAY WAS UNAVOIDABLE.

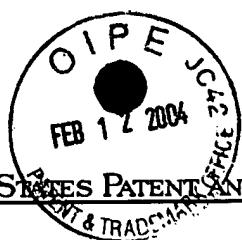
AFTER I RECEIVED THE "NOTICE OF ABANDONMENT" I CALLED (703) 308-1202 TO GET THE "NOTICE TO FILE CORRECTED APPLICATION PAPERS" FAXED TO ME.

Marilyn Diane Smith Dawkins
2/10/04

(Please attach additional sheets if additional space is needed.)



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/042,007	01/08/2002	Michael Richard Cooper	AUS920010030US1

RECEIVED

International Business Machines Corporation FEB 18 2004
Intellectual Property Law Department
Internal Zip 4054
11400 Burnet Road
Austin, TX 78758

OFFICE OF PETITIONS

CONFIRMATION NO. 4935
ABANDONMENT/TERMINATION
LETTER



OC000000011758429

Date Mailed: 01/26/2004

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 04/05/2002.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

[Signature]

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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EL978317643US

FEB 18 2004

PATENT
10/042,007

#5

OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Michael R. Cooper, et al.

Serial No.: 10/042,007

Confirmation No.: 4935

Filed: 01/08/2002

Title: AUTOMATICALLY POPULATING AN APPLICATION'S WORKING DIRECTORY WITH FILES HAVING A SPECIFIED TYPE FROM OTHER DIRECTORY LOCATIONS

: Group Art:

2171

: Before the Examiner:

Unknown

: Intellectual Property Law Department

: International Business Machines Corp.

: 11400 Burnet Rd

: Austin, Texas 78758

CERTIFICATE OF MAILING

Express
Mail

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 2-12-04.

Beverly Winfield

Signature

2-12-04

Date

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS
Filing Date Granted

(Submission of Formal Drawings)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Corrected Application Papers dated April 5, 2002 , please substitute the attached formal drawings (5 pages) and a copy of the Notice to File Corrected Application Papers. If any fees are required, I authorize the Commissioner to charge these fees which may be required to Deposit Account No. 09-0447. A duplicate copy is attached for your convience.

Respectfully submitted,

Marilyn Smith Dawkins

Marilyn Smith Dawkins
Attorney for Applicants
Registration No. 31,140
(512) 823-0094

AUS9-2001-0030US1



UNITED STATES PATENT AND TRADEMARK OFFICE



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FEB 18 2004

OFFICE OF PETITIONS

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/042,007	01/08/2002	Michael Richard Cooper	AUS920010030US1

CONFIRMATION NO. 4935

FORMALITIES LETTER



OC00000007805944

International Business Machines Corporation
Intellectual Property Law Department
Internal Zip 4054
11400 Burnet Road
Austin, TX 78758

Date Mailed: 04/05/2002

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:

- drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

